

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 3:13CR00003-1
)	
)	
v.)	FINAL ORDER
)	
JOHNNIE EDWARD BANKS, JR.,)	
)	By: Norman K. Moon
)	United States District Judge
Defendant.)	

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that this motion to vacate, set aside or correct the sentence, pursuant to 28 U.S.C. § 2255, is **DISMISSED** without prejudice, and the clerk will **STRIKE** the action from the active docket of the court. Based upon my finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is **DENIED**.

ENTER: This 14th day of May, 2015.



NORMAN K. MOON
UNITED STATES DISTRICT JUDGE